

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 23-2264-MWF Date: June 29, 2023

Title In Re Debtor Allana Baroni, et al.

Present: The Honorable: MICHAEL W. FITZGERALD, United States District Judge

Rita Sanchez

Deputy Clerk

Not Reported

Court Reporter / Recorder

Attorneys Present for Plaintiffs:
Not Present

Attorneys Present for Defendants:
Not Present

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE

The Notice of Appeal and Statement of Election was filed on March 28, 2023. (Docket No. 1). On April 20, 2023, the United States Bankruptcy Court filed an Appeal Deficiency Notice to United States District Court, Central District of California (the “Notice”). (Docket No. 8). Pursuant to the Notice, Appellant failed to timely file the required Statement of Issues, Designation of Record, Notice of Transcript, and Transcript(s).

The Court **ORDERS** Appellant to **SHOW CAUSE** (“OSC”) why this action should not be dismissed for lack of prosecution. To discharge this OSC, Appellant may comply with Federal Rules of Bankruptcy Procedure 8003 and 8009 by no later than **JULY 14, 2023**. The Court strongly urges Appellant to discharge the OSC in this manner as there is no excuse for the over two-month delay that has already transpired.

Alternatively, Appellant may file a written response to the OSC, but only upon a good-faith basis for claiming good cause to extend the deadline. In order to discharge the OSC in this manner, any written response must be factually and legally supported and establish a sufficient excuse for failure to timely prosecute this appeal.

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Given the dilatory history of Appellant (and Appellant’s counsel), failure to either comply with Bankruptcy Rules 8003 and 8009, or otherwise adequately respond to this OSC, by **July 14, 2023**, will result in **automatic dismissal** of this appeal. *See* Fed. R. Bankr. P. 8003 (explaining that an appellant’s failure to follow the procedures for filing an appeal is ground for “dismissing the appeal”).

Further, this OSC serves as **NOTICE** to Appellant that any future failure to meet any deadline imposed by statute or this Court, without a formal request to extend such a deadline, will result in automatic dismissal of this appeal without further notice.

No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. 78; Local Rule 7-15.

IT IS SO ORDERED.